



General Assembly

Substitute Bill No. 305

February Session, 2008

* _____SB00305VA_TRA022908_____*

AN ACT CONCERNING MILITARY TRANSPORTATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-44a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2008*):

3 (a) No person may drive a commercial motor vehicle on the
4 highways of this state unless the person holds a commercial driver's
5 license issued by this state or another state, with applicable
6 endorsements valid for the vehicle he is driving.

7 (b) The provisions of subsection (a) of this section shall not apply to
8 (1) the holder of a commercial driver's instruction permit when
9 accompanied in the vehicle by the holder of a commercial driver's
10 license, [or] (2) any military personnel who operate commercial motor
11 vehicles solely in connection with their military duties, in accordance
12 with 49 CFR 383.3(c), or (3) any member of the Connecticut National
13 Guard who is qualified to operate a military or commercial motor
14 vehicle in accordance with 49 CFR 383.3(c) who operates such vehicle
15 while performing state military duty.

16 (c) Any person who violates the provisions of subsection (a) of this
17 section shall operate a motor vehicle in violation of the classification of
18 the license issued to him, and shall be subject to the penalties provided
19 in subsection (e) of section 14-36a of the 2008 supplement to the

20 general statutes and section 14-44k of the 2008 supplement to the
21 general statutes.

22 Sec. 2. Subsection (b) of section 14-296aa of the general statutes is
23 repealed and the following is substituted in lieu thereof (*Effective from*
24 *passage*):

25 (b) (1) Except as otherwise provided in this subsection and
26 subsections (c) and (d) of this section, no person shall operate a motor
27 vehicle upon a highway, as defined in subsection (a) of section 14-1 of
28 the 2008 supplement to the general statutes, while using a hand-held
29 mobile telephone to engage in a call or while using a mobile electronic
30 device while such vehicle is in motion. (2) An operator of a motor
31 vehicle who holds a hand-held mobile telephone to, or in the
32 immediate proximity of, his or her ear while such vehicle is in motion
33 is presumed to be engaging in a call within the meaning of this section.
34 The presumption established by this subdivision is rebuttable by
35 evidence tending to show that the operator was not engaged in a call.
36 (3) The provisions of this subsection shall not be construed as
37 authorizing the seizure or forfeiture of a hand-held mobile telephone
38 or a mobile electronic device, unless otherwise provided by law. (4)
39 Subdivision (1) of this subsection does not apply to: (A) The use of a
40 hand-held mobile telephone for the sole purpose of communicating
41 with any of the following regarding an emergency situation: An
42 emergency response operator; a hospital, physician's office or health
43 clinic; an ambulance company; a fire department; or a police
44 department, or (B) any of the following persons while in the
45 performance of their official duties and within the scope of their
46 employment: A peace officer, as defined in subdivision (9) of section
47 53a-3 of the 2008 supplement to the general statutes, a firefighter, [or]
48 an operator of an ambulance or authorized emergency vehicle, as
49 defined in subsection (a) of section 14-1 of the 2008 supplement to the
50 general statutes, or a member of the armed forces of the United States,
51 including the National Guard, or (C) the use of a hands-free mobile
52 telephone.

53 Sec. 3. Section 27-102a of the general statutes is repealed and the
54 following is substituted in lieu thereof (*Effective from passage*):

55 (a) Notwithstanding any provisions of the general statutes with
56 respect to annual or biennial license or registration fees or occupational
57 taxes, any resident of Connecticut on active duty with the armed forces
58 of the United States, shall be exempt from the payment of such fees or
59 taxes during his period of active service and for one year following the
60 date of his honorable discharge or the date of his release under
61 honorable conditions, from such service.

62 (b) Any [resident of Connecticut on active duty with the armed
63 forces of the United States during the period commencing on August 7,
64 1990, and lasting for the duration of Operation Desert Shield and
65 Operation Desert Storm until the cessation of hostilities as determined
66 by the President of the United States or until a date established by an
67 act of the General Assembly,] member of the armed forces of any state
68 or of any reserve component of the armed forces of the United States
69 who has been called to active service in the armed forces of any state of
70 the United States shall be exempt from the payment of any fine or late
71 fee assessed for failure to renew [his] a motor vehicle operator's license
72 or motor vehicle registration or for failure to have emissions inspection
73 performed in a timely manner provided such [resident] member
74 renews [his] the license or registration or has his vehicle inspected at
75 an official emissions inspection station no later than sixty days
76 following the date such [resident returns to the state] member is
77 released from the qualifying military service.

78 [(c) Any resident of Connecticut on active duty with the armed
79 forces of the United States who qualifies for a late fee exemption
80 pursuant to subsection (b) of this section, and who has paid such late
81 fee to the Department of Motor Vehicles prior to May 22, 1991, may
82 apply to the department for a refund of such fee.]

83 Sec. 4. Subdivision (53) of section 12-81 of the 2008 supplement to
84 the general statutes is repealed and the following is substituted in lieu

85 thereof (*Effective July 1, 2008*):

86 (53) (a) One motor vehicle belonging to, leased to or held in trust
 87 for, any member of the United States armed forces, if such motor
 88 vehicle is garaged inside or outside the state;

89 (b) Any person claiming the exemption provided under this
 90 subdivision for any assessment year shall, not later than the thirty-first
 91 day of December next following the date on which property tax is due
 92 in such assessment year, file with the assessor or board of assessors, in
 93 the town in which such motor vehicle is registered, written application
 94 claiming such exemption on a form approved for such purpose by
 95 such assessor or board. Notwithstanding the provisions of this chapter,
 96 any person claiming the exemption under this subdivision for a leased
 97 motor vehicle shall be entitled to a refund of the tax paid with respect
 98 to such vehicle, whether such tax was paid by the lessee or by the
 99 lessor pursuant to the terms of the lease. Upon approving such
 100 person's exemption claim, the assessor shall certify the amount of
 101 refund to which the applicant is entitled and shall notify the tax
 102 collector of such amount. The tax collector shall refer such certification
 103 to the board of selectmen in a town or to the corresponding authority
 104 in any other municipality. Upon receipt of such certification, the
 105 selectmen or such other authority shall draw an order on the Treasurer
 106 in favor of such person for the amount of refund so certified. Failure to
 107 file such application as prescribed herein with respect to any
 108 assessment year shall constitute a waiver of the right to such
 109 exemption for such assessment year.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2008</i>	14-44a
Sec. 2	<i>from passage</i>	14-296aa(b)
Sec. 3	<i>from passage</i>	27-102a
Sec. 4	<i>July 1, 2008</i>	12-81(53)

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Joint Favorable Subst. C/R

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